AMENDMENTS TO THE CLAIMS

Listing of claims:

1. (previously presented, withdrawn) A method of treating a patient comprising use of one or more of the elements from the group yttrium (Y), neodymium (Nd) or zirconium (Zr) for the production of a pharmaceutical formulation for inhibiting the proliferation of human smooth muscle cells.

2. (previously presented, withdrawn) The method according to claim 1, wherein the inhibition of the proliferation of human smooth muscle cells is directed to the region of an atherosclerotic lesion.

3. (previously presented, withdrawn) The method according to claim 2 comprising local restenosis prophylaxis after stent implantation.

4. (currently amended) A pharmaceutical formulation containing one or more of the elements from the group yttrium (Y), neodymium (Nd) or zirconium (Zr) ~~for inhibiting~~ adapted to be implanted in a vascular vessel and adapted to inhibit the proliferation of human smooth muscle cells of the vascular vessel wherein the formulation is adapted for intravascular liberation after implantation in a vascular vessel and the formulation includes an at least very substantially biodegradable carrier.

5–6 (Cancelled)

7. (previously presented) A formulation as set forth in claim 4 , wherein the carrier is an alloy, selected from the group consisting of magnesium, iron and tungsten alloys.

8. (previously presented, withdrawn) A formulation as set forth in claim 4 , wherein the carrier is a bioresorbable polymer and one or more of the elements selected from the group consisting of Y, Nd or Zr is embedded in the form of a powder or microparticles in the polymer.

9. (previously presented) A formulation as set forth in claim 4, wherein the formulation contains Y in a quantitative proportion of between 0.1 and 10% by weight with respect to the total weight of the formulation.

10. (previously presented, withdrawn) A formulation as set forth in claim 4, wherein the formulation contains Nd in a quantitative proportion of between 0.1 and 5% by weight with respect to the total weight of the formulation.

11. (previously presented, withdrawn) A formulation as set forth in claim 4, wherein the formulation contains Zr in a quantitative proportion of between 0.1 and 3% by weight with respect to the total weight of the formulation.

12. (previously presented) A formulation as set forth in claim 7, wherein the formulation is a magnesium alloy and contains Y in the range of between 3.7 and 5.5%, rare earths without Y in the range of between 1.5 and 4.4% by weight and remaining elements < 1%.

13. (previously presented) A formulation as set forth in claim 7 the formulation is a magnesium alloy and contains Y in the range of between 3.7 and 5.5% by weight, Nd in the range of between 1.8 and 2.7% by weight, and Zr in the range of between 0.2 and 1.2% by weight.

14. (currently amended) A formulation as set forth in claim 13, wherein the magnesium alloy is a WE43 ~~(W25/EP5M)~~ alloy of the following formulation:

Zirconium in an amount of about 0.53 % by weight,

Yttrium in an amount of about 4.1 % by weight,

Neodymium in an amount of about 2.2 % by weight, and

Magnesium in an amount greater than about 92.77% by weight to about 93.17 % by weight.

15. (currently amended) A formulation as set forth in claim 4, wherein the formulation contains Y and is so adapted that there is an yttrium concentration in the region of the human smooth

muscle cells to be treated of between 200 μM and 2 mM~~, in particular between 800 μM and 1 mM~~.

16. (previously presented, withdrawn) A formulation as set forth in claim 4, wherein the formulation contains Nd and is so adapted that there is a neodymium concentration in the region of the smooth muscle cells to be treated of between 600 μM and 2 mM, in particular between 800 μM and 1 mM.

17. (previously presented, withdrawn) A formulation as set forth in claim 4, wherein the formulation contains Zr and is so adapted that there is a zirconium concentration in the region of the smooth muscle cells to be treated of between 200 μM and 2 mM, in particular between 200 μM and 1 mM.

18. (previously presented, withdrawn) A formulation as set forth in claim 4, wherein the formulation contains Y, Nd and Zr and is so adapted that there is an yttrium concentration of between 350 and 550 μM, a neodymium concentration of between 100 and 200 μM and a zirconium concentration of between 10 and 30 μM in the region of the smooth muscle cells to be treated.

19. (previously presented, withdrawn) An implant with a coating or a constituent of a formulation as set forth in claim 4.

20. (previously presented, withdrawn) An implant as set forth in claim 19 wherein the implant is an endovascular support device.

21. (previously presented, withdrawn) An implant as set forth in claim 20 wherein there is between about 5 and 30 μg of yttrium, in relation to 1 mm stent length.

22. (previously presented, withdrawn) An implant as set forth in claim 20, wherein there is between about 2 and 20 μg of neodymium, in relation to 1 mm stent length.

23. (previously presented, withdrawn) An implant as set forth in claim 20 wherein there is between about 0.05 and 10 μg of zirconium, in relation to 1 mm stent length.

24-25. (Cancelled)